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October 11, 2022

VIA ECF

Hon. Michael A. Hammer, U.S.M.J.
United States District Court
for the District of New Jersey
Martin Luther King Courthouse
50 Walnut Street
Newark, NJ 07101

Re: Same Day Procedures, LLC v. Cigna Corp., et al.
Civil Action No. 2:22-cv-01533 (JMV)(MAH)

Your Honor:

This law firm represents several of the defendants (“Defendants”) in the above-referenced matter.¹ We write in response to the Stipulation filed by Plaintiff Same Day Procedures, LLC on October 7, 2022. *See* ECF No. 76 (the “Stipulation”).

We do not, of course, object to the actual terms of the stipulation, which we agreed to. Nor do we object to Plaintiff’s filing of the Stipulation, although we were not aware that it would be filed last week. We do, however, note our objection to the description of the stipulation on the docket, *i.e.*, “Stipulation Regarding Service of Process on Defendants Conn. Gen. Life Ins. Co. and Cigna Health & Life Ins. Co. via the N.J. Dept. of Banking and Ins.” As the filed Stipulation itself makes clear, it is a stipulation to facts regarding historical practices of CGLIC and CHLIC. It is not a stipulation regarding service of process in this case, which we expect will be the subject of dispute in Plaintiff’s anticipated motion for remand. The Cigna Defendants reserve all rights in regard to same.

We thank Your Honor for your kind attention to this submission. Please do not hesitate to have the Court’s staff contact me with any questions.

Respectfully submitted,

s/ Caroline E. Oks

Caroline E. Oks

cc: All counsel of record (via ECF)

¹ The complete list of defendants represented by this firm is: Cigna Corp., Cigna Health Corp., Connecticut General Life Insurance Co., Inc. a/k/a CGLIC (“CGLIC”), Cigna Health Management, Inc., Cigna Health and Life Insurance Co. (“CHLIC”, and together with all other Cigna parties, the “Cigna Defendants”), Sumitomo Mitsui Trust Bank, AAK USA Inc., MILA Managed Health Care Trust Fund a/k/a MILA National Plan, Unified Vailsburg Services Org., Sealy Mattress Co., Infineum USA Inc., and Edison Township Public Schools Board of Education in the County of Middlesex.